

TENTATIVE RULINGS

CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR

For: 3/10/2008 Monday Dept: 1A

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

1. **1:00 PM** Case: CV33530 [S] SCHMITZ v EDMONSON
Type: BREACH OF CONTRACT Date Filed: 03/14/07
Event: COURT'S MOTION TO DISMISS PER 3.1385

PLF/XD: SCHMITZ, MICHAEL ATTY: HAMILTON, ALAN D. ESQ
Service Date/Type: 00/00/00 Answer Date: 05/07/07
DEF/XC: EDMONSON, ROBERT L JR ATTY: BROWN, ROGER A. ESQ
Service Date/Type: 03/24/07 PER Answer Date: 04/20/07
DEF/XC: EDMONSON, JAN A ATTY: BROWN, ROGER A. ESQ
Service Date/Type: 04/10/07 PER Answer Date: 04/20/07

Tentative Ruling: The matter was previously noticed and set for the court's motion to dismiss pursuant to Cal. Rules of Court 3.1385. No opposition to the motion has been filed and the matter is hereby ordered dismissed with prejudice.

2. **1:30 PM** Case: CV32828 [S] SIMPSON v HALE
Type: DAMAGES-NON TORT Date Filed: 07/17/06
Event: FURTHER CASE MGT CONF/TRIAL SETTING

PLNTFF: SIMPSON, ROGER ATTY: RODMAN, KEVIN D. ESQ
DEFNDT: HALE, BERNADETTE ATTY: ALLEN, JOHN B ESQ
Service Date/Type: 07/18/06 PRS Answer Date: 06/04/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 3 day jury trial.

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3. 1:30 PM Case: CV32880 [S] ELDER v YOUNG.WARD
Type: LEGAL MALPRACTICE/NEGLIGENCE Date Filed: 08/04/06
Event: FURTHER CASE MANAGEMENT CONF - CIVIL
COUNSEL ORDERED TO APPEAR

PLNTFF: ELDER, CHRISTINE ATTY: FURTADO JASPOVICE & SIMONS
DEFNDT: YOUNG.WARD ATTORNEYS ATTY: MCCORMICK BARSTOW SHEPPARD WA
Service Date/Type: 01/22/07 PER Answer Date: 03/06/07
DEFNDT: WARD, SCOTT ATTY: MCCORMICK BARSTOW SHEPPARD WA
Service Date/Type: 01/27/07 PER Answer Date: 03/06/07

Tentative Ruling: This matter is dependent upon the disposition of another case scheduled for trial July 2008. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 8/11/08.

4. 1:30 PM Case: CV33560 [S] MORELAND v KRAFT FOODS, ETAL
Type: PRODUCT LIABILITY Date Filed: 03/26/07
Event: TRIAL SETTING - CIVIL

PLNTFF: MORELAND, ELIZABETH ATTY: AXELROD, DAVID L ESQ
DEF/XC: YOUNG'S LOCKEFORD PAY-LESS MARKET ATTY: POWERS & MILLER
Service Date/Type: 00/00/00 Answer Date: 07/31/07
DEF/XC: YOUNG'S PAY-LESS MARKET ATTY: POWERS & MILLER
Service Date/Type: 00/00/00 Answer Date: 07/31/07
DF/X-D: KRAFT FOODS GLOBAL INC. ATTY: HARRINGTON FOXX DUBROW & CANT
Service Date/Type: 07/05/07 PER Answer Date: 07/25/07

Tentative Ruling: The case is At-Issue and referred to Judicial Arbitration on a 60 day delay. The parties may stipulate to mediation in lieu of arbitration. Discovery to remain open until 30 days prior to trial. Trial setting is set in Dept. 1A at 1:00 PM on 8/11/08.

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5. 1:30 PM Case: CV33574 [S] HENDERSON v TUCKER
Type: BREACH OF CONTRACT Date Filed: 03/23/07
Event: FURTHER CASE MANAGEMENT CONF - CIVIL
Event: CONT'D OSC RE FILING COMPLIANCE

VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: HENDERSON, ROBERT	ATTY: O'HARA BARNES LLP
DEF/XC: TUCKER, STEVE	ATTY: BARKLEY, JOHN L. ESQ
Service Date/Type: 10/24/05 PER	Answer Date: 06/11/07
DEF/XC: TUCKER, JOYCE	ATTY: BARKLEY, JOHN L. ESQ
Service Date/Type: 10/24/05 PER	Answer Date: 06/11/07
DEF/XC: PARIS ENTERPRISES INC.	ATTY: JACOBS & ASSOCIATES
Service Date/Type: 00/00/00	Answer Date: 12/27/05
	ASSOC: MICHAELIS, MONTANARI & JOHNSO
DF/X-D: PILLAR TO POST PROFESSIONAL HOME	ATTY: ISAAC ESQ, DENNIS P
Service Date/Type: 00/00/00	Answer Date: 01/18/08
DF/X-D: SELLERS CHOICE	
DF/X-D: BUSY BEE REALTY	ATTY: LEWIS BRISBOIS BISGAARD & SMI
Service Date/Type: 08/06/07 SUB	Answer Date: 08/31/07
DF/X-D: CHURCH, CONNIE	ATTY: LEWIS BRISBOIS BISGAARD & SMI
Service Date/Type: 08/06/07 PER	Answer Date: 08/31/07
D/XD/XC AIM TERMITE CONTROL	ATTY: JACOBS & ASSOCIATES
Service Date/Type: 00/00/00	Answer Date: 06/11/07
X-DEFT BRISKI, BILLIE	ATTY: LEWIS BRISBOIS BISGAARD & SMI
Service Date/Type: 08/06/07 SUB	Answer Date: 08/31/07

Tentative Ruling: The plaintiff/cross-complainant has not filed a proper Proof of Service as to all named defendants/cross-defendants (Seller's Choice). Plaintiff/cross-complainant must file a proper Proof of Service or dismissal prior to the next hearing. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 5/12/08.

6. 1:30 PM Case: CV33582 [S] BLEDSOE v FISHER, ETAL
Type: PI-NON MOTOR VEHICLE Date Filed: 04/02/07
Event: FURTHER CASE MANAGEMENT CONF - CIVIL

PLNTFF: BLEDSOE, JONETTA	ATTY: ENNIS, SCOTT B ESQ
DEFNDT: FISHER, STACEY	ATTY: JOHNSTON, G. MICHAEL ESQ
Service Date/Type: 06/01/07 SUB	Answer Date: 07/03/07
DEFNDT: FISHER, DEBORAH L.	ATTY: JOHNSTON, G. MICHAEL ESQ
Service Date/Type: 06/01/07 SUB	Answer Date: 07/03/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 3 day jury trial.

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7. 1:30 PM Case: CV33605 [S] ARTHURS v ROSE
Type: DECLARATORY RELIEF Date Filed: 04/06/07
Event: FURTHER CASE MGMT/TRIAL SETTING

PLF/XD: ARTHURS, PAUL ATTY: WEISBERG, MICHAEL ESQ
DEF/XC: ROSE, GARY A ATTY: YOUNG.WARD ATTORNEYS
Service Date/Type: 04/26/07 PER Answer Date: 07/17/07
DEF/XC: ROSE, MONIKA ATTY: YOUNG.WARD ATTORNEYS
Service Date/Type: 04/26/07 SUB Answer Date: 07/17/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 2 day jury trial.

8. 1:30 PM Case: CV33610 [S] WILLENBERG v HAWKINS
Type: PI/PD MOTOR VEHICLE Date Filed: 04/11/07
Event: TRIAL SETTING

PLNTFF: WILLENBERG, MICHAEL ATTY: AIROLA, JOHN V. ESQ
PLNTFF: HUKKANEN, SHELLY ATTY: AIROLA, JOHN V. ESQ
DEFNDT: HAWKINS, CHELSEY ATTY: MACMORRIS & CARBONE
Service Date/Type: 05/17/07 SUB Answer Date: 07/19/07
DEFNDT: HAWKINS, CLAYTON ATTY: MACMORRIS & CARBONE
Service Date/Type: 05/16/07 PER Answer Date: 07/19/07
DEFNDT: HAWKINS, SHAUNA ATTY: MACMORRIS & CARBONE
Service Date/Type: 05/17/07 SUB Answer Date: 07/19/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times (MSC and Trial dates not on June 7-17). Estimated trial length: 5 day jury trial.

9. 1:30 PM Case: CV33660 [S] SIMPSON v HAM
Type: P.I. MOTOR VEHICLE Date Filed: 04/25/07
Event: TRIAL SETTING - CIVIL

PLNTFF: SIMPSON, BRIANNA ATTY: WALKUP MELODIA KELLY WECHT &
GDN/AL: FORDAHL, SHANA
DEFNDT: HAM, TAMMY ATTY: QUINN & KRONLUND LLP
Service Date/Type: 05/08/07 PER Answer Date: 06/04/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 7 day jury trial.

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10. 2:00 PM Case: CV32882 [S] FRANKLIN v FRANKLIN
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/04/06
Event: FURTHER CASE MGT CONF/TRIAL SETTING P= 8

PETNR: FRANKLIN, ANDREA ATTY: VALEN, MARK ESQ
RESP: FRANKLIN, JOHN C. ATTY: GEE, DOUGLAS M. ESQ
Service Date/Type: 00/00/00 Answer Date: 09/12/06
CLAMNT: WESTERN CONFERENCE OF TEAMSTERS P ATTY: SPATER, BENJAMIN F. ESQ

Tentative Ruling: Parties represent to the court that all issues are agreed except for attorneys fees and costs. Parties have contemplated submitting those issues on declarations. Law and motion procedure is suggested for this purpose. The other issues may be concluded by a Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). If a final Judgment (FL-180) on all issues is on file prior to the next Case Management hearing the Case Management hearing will be vacated. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

11. 2:00 PM Case: CV33020 [S] HANNEL v HANNEL
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 09/22/06
Event: FURTHER CASE MANAGEMENT CONFERENCE RE P= 8
REMAINING ISSUES

Related cases NOT on this calendar: CV32980 , CV33248 ,
PETNR: HANNEL, LORI ELLEN ATTY: IN PRO PER
RESP: HANNEL, DENNIS TROY ATTY: MORROW, MICHELLE ESQ
Service Date/Type: 00/00/00 Answer Date: 11/14/06

Tentative Ruling: It appears petitioner's bankruptcy proceeding has been dismissed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Thereafter, Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

12. 2:00 PM Case: CV33033 [S] CROSHAW v CROSHAW
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 09/27/06
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

Related cases NOT on this calendar: CV33975 ,
PETNR: CROSHAW, TINA L. ATTY: TRIFILO, JOHN J. ESQ
RESP: CROSHAW, MICHAEL J. ATTY: VALEN, MARK ESQ
Service Date/Type: 10/05/06 NAR Answer Date: 11/07/06

Tentative Ruling: This matter may be concluded by a Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). If a final Judgment (FL-180) on all issues is on file prior to the next Case Management hearing the Case Management hearing will be vacated. If no MSA is reached, Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 5/12/08.

13. 2:00 PM Case: CV33702 [S] KAUTZ v KAUTZ
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/10/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: KAUTZ, STEPHEN ATTY: LANE DUNCAN & LAMBERTSON
RESP: KAUTZ, LORI ATTY: MCKINLEY, JOHN H. ESQ
Service Date/Type: 06/01/07 PER Answer Date: 02/01/08

Tentative Ruling: There is a temporary custody order. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

14. 2:00 PM Case: CV33908 [S] SCOTT v SCOTT
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 07/24/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8
RESP'S OSC RE CHILD SPT, SPOUSAL SPT,
ATTORNEY FEES/COSTS, INJUNCTIVE ORDER

PETNR: SCOTT, GREGORY W. ATTY: BORDEN, MARK ESQ
RESP: SCOTT, LYNETTE M. ATTY: MIKELICH, STEVEN G. ESQ
Service Date/Type: 00/00/00 Answer Date: 08/07/07

Tentative Ruling: There is a temporary custody order. There is pending a law and motion matter Respondent's OSC re: CS/SS/ATTY\$ which is hereby set for hearing in Dept. 1 at 9:00AM on 3/25/08. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next CMC hearing. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next CMC hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

15. 2:00 PM Case: CV33933 [S] GILL v GILL
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 07/30/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

Related cases NOT on this calendar: MH33874 , PR6930 ,
PETNR: GILL, LAHOMA MARIE ATTY: VAN DYKE ESQ, THOMAS H.
RESP: GILL, PETER FERREIRA ATTY: THOMPSON, JAMES A. ESQ
Service Date/Type: 08/07/07 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

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16. 2:00 PM Case: CV34211 [S] METILDI v METILDI
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 11/09/07
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW P= 8

PETNR: METILDI, VERONICA LYNN ATTY: MIKELICH, STEVEN G. ESQ
RESP: METILDI, DAVID EUGENE ATTY: IN PRO PER
Service Date/Type: 11/12/07 PER Answer Date: 12/11/07

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

17. 2:00 PM Case: CV34192 [S] GONZALES v GONZALES
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 11/01/07
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: GONZALES, JODINE P ATTY: IN PRO PER
RESP: GONZALES, CHRISTOPHER R

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

18. 2:00 PM Case: CV34194 [S] LEININGER v LEININGER
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 11/02/07
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: LEININGER, GENESIS M ATTY: IN PRO PER
RESP: LEININGER, STEVEN E

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

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19. 2:00 PM Case: CV34198 [S] HANSON v HANSON
Type: NULLITY WITHOUT MINOR CHILDREN Date Filed: 11/06/07
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: HANSON, KATHLEEN ATTY: IN PRO PER
RESP: HANSON, JACK G

Tentative Ruling: The petitioner has not filed a proper Proof of Service (FL-115) of the Summons and Petition with the court (petitioner was the person serving the papers). The court cannot proceed with any orders until a proper Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

20. 2:00 PM Case: CV34204 [S] HENRY v HENRY
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 11/07/07
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV32792 ,
PETNR: HENRY, KAYCEE ATTY: IN PRO PER
RESP: HENRY, MICHA

Tentative Ruling: The petitioner has not filed a proper Proof of Service (FL-115) of the Summons and Petition with the court (incomplete no time & date of service). The court cannot proceed with any orders until a proper Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/16/08.

21. 3:00 PM Case: CV29450 [S] WILIMEK v WILIMEK
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 04/07/03
Event: SETTLEMENT CONFERENCE-FAMILY LAW
RESPONDENT'S CONT'D OSC RE MODIFICATION
OF SPOUSAL SUPPORT; AMEND Q.D.R.O.

PETNR: WILIMEK, SANDRA J ATTY: KEEGAN & MYERS LAW OFFICE
ASSOC: KEEGAN & MYERS LAW OFFICE
RESP: WILIMEK, JOSEPH W ATTY: WHITE, BLAIR M. ESQ
Service Date/Type: 00/00/00 Answer Date: 05/05/03
ASSOC: CAMPBELL ESQ, MARY R
INT/PY: CALIFORNIA STATE TEACHERS' RETIRE
Service Date/Type: 06/22/04 NAR Answer Date: 07/02/04

Tentative Ruling: There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear. Petitioner has not filed a timely settlement conference statement.

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22. 3:00 PM Case: CV34339 [S] BURITA v BURITA
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 01/04/08
Event: SETTLEMENT CONFERENCE/TRIAL SETTING
PETITIONER'S OSC RE CUSTODY

PETNR: BURITA, JASON J.
RESP: BURITA, NIKKI

ATTY: IN PRO PER

Tentative Ruling: There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear. In reviewing the file it appears the petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. Respondent has not filed a Response (FL-120) The court cannot proceed with any orders until Proof of Service or Response is filed. Additionally, Petitioner is required to serve and file a Preliminary Declaration of Disclosure (FL-141).
